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STATUTORY INSTRUMENTS

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**1999 No. 490 (S. 32)**

**ROAD TRAFFIC**

**The Removal and Disposal of Vehicles  
(Amendment) (Scotland) Regulations 1999**

<i>Made</i>	- - - -	<i>22nd February 1999</i>
<i>Laid before Parliament</i>		<i>3rd March 1999</i>
<i>Coming into force</i>	- -	<i>24th March 1999</i>

The Secretary of State in exercise of the powers conferred by sections 99 and 103(3) of the Road Traffic Regulation Act 1984(1) and of all other enabling powers, and after consultation with representative organisations in accordance with section 134(2) of that Act, hereby makes the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Removal and Disposal of Vehicles (Amendment) (Scotland) Regulations 1999 and shall come into force on 24th March 1999.

(2) These Regulations extend to Scotland only.

**Amendments**

2. The Removal and Disposal of Vehicles Regulations 1986(2) shall be amended in accordance with the following provisions of these Regulations.

3. After regulation 4A there shall be inserted the following—

**“Power of traffic warden to remove vehicles**

**4B.**—(1) A traffic warden may, subject to sections 99 and 100 of the 1984 Act, remove or arrange for the removal of a vehicle to which regulation 3 applies to a place which is not on that or on any other road, or may move it or arrange for its removal to another position on that or another road.

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(1) 1984 c. 27. Relevant amendments to section 99 were made by paragraph 32 of Schedule 4 and by Schedule 8 to the Road Traffic Act 1991 (c. 40) (“the 1991 Act”). Relevant amendments were made to section 100 by paragraph 68 of Schedule 8 to the New Roads and Street Works Act 1991 (c. 22) and by Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c. 39). Sections 101 and 102 were amended by sections 67 and 68 of and Schedule 8 to the 1991 Act. Section 103 was amended by paragraph 33 of Schedule 4 to the 1991 Act.

(2) S.I. 1986/183, amended by S.I. 1993/278, S.I. 1993/1708 and S.I. 1998/2019.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(2) This regulation applies only in respect of—

- (a) a vehicle which is on a road in, and
- (b) its removal in and to a place in

Scotland.”.

4. In regulation 6, after “4A” insert “, 4B”.

St Andrew’s House,  
Edinburgh  
22nd February 1999

*Calum Macdonald*  
Parliamentary Under Secretary of State, The  
Scottish Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend for Scotland the Removal and Disposal of Vehicles Regulations 1986 ([S.I. 1986/183](#)).

The amendments enable traffic wardens to remove vehicles parked or broken down on a road in circumstances where—

- (a) it is causing an obstruction;
- (b) it is likely to cause danger to other road users; or
- (c) an offence has been committed under certain enactments by or under which there are imposed prohibitions or restrictions on the waiting of vehicles on roads.

The powers can be exercised only in Scotland. Traffic wardens already have the same powers in respect of England and Wales under regulation 4A of the 1986 Regulations.